


**TRANSMITTAL  
FORM**

OCT 26 2006

(used for all correspondence after initial filing)

Total Number of Pages in This Submission 25

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|------------------------|--------------------------|
| Application Number     | 10/659,834               |
| Filing Date            | September 10, 2003       |
| First Named Inventor   | Tamio Saito              |
| Art Unit               | 2136                     |
| Examiner Name          | Hoffman, Brandon S.      |
| Attorney Docket Number | ESMART-0003 (036132-005) |

**ENCLOSURES (check all that apply)**

|  |  |  |
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| <input type="checkbox"/> Fee Transmittal Form                                | <input type="checkbox"/> Drawing(s)  | <input type="checkbox"/> After Allowance Communication to TC                               |
| <input type="checkbox"/> Credit Card Payment Form<br>2038 Attached           | <input type="checkbox"/> Licensing-related Papers  | <input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences     |
| <input checked="" type="checkbox"/> Amendment / Reply                        | <input type="checkbox"/> Petition  | <input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief) |
| <input checked="" type="checkbox"/> After Final                              | <input type="checkbox"/> Petition to Convert to a<br>Provisional Application               | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Terminal Disclaimer   | <input checked="" type="checkbox"/> Other Enclosure(s)<br>(please identify below):         |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Request for Refund  | Postcard   |
| <input type="checkbox"/> Information Disclosure Statement                    | <input type="checkbox"/> CD, Number of CD(s) _____   |  |
| <input type="checkbox"/> Certified Copy of Priority<br>Document(s).          | <input type="checkbox"/> Landscape Table on CD   |  |
| <input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application   |  |  |
| <input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 |  |  |
| <b>Remarks</b>   |  |  |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|              |                           |             |                     |
|--------------|---------------------------|-------------|---------------------|
| Firm         | THELEN REID & PRIEST LLP. |             |                     |
| Signature    |                           |             |                     |
| Printed Name | Masako Ando               |             |                     |
| Date         | 10/24/06                  | Reg.<br>No. | Ltd. Rec. No. L0016 |

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| Signature             |               |
| Typed or printed name | Geneva Walls  |
|                       | Date 10-24-06 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Tamio Saito  
SERIAL NO.: 10/659,834  
FILING DATE: September 10, 2003  
TITLE: Secure Biometric Verification of Identity  
EXAMINER: Hoffman, Brandon S. Tel. No.: (571) 272-3863  
Fax No.: (571) 273-8300  
ART UNIT: 2136

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**RESPONSE TO FINAL OFFICE ACTION**

Sir:

This paper is responsive to the Final Office Action of August 24, 2006.

**Listing of Claims** begin on page 2 of this paper.

**Remarks/Arguments** begin on page 16 of this paper.